

Assembly Bill No. 1170

CHAPTER 370

An act to amend Section 19630 of the Business and Professions Code, and to amend Section 4155 of the Food and Agricultural Code, relating to fairs, and making an appropriation therefor.

[Approved by Governor September 14, 1999. Filed
with Secretary of State September 14, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1170, Frusetta. Fairs.

(1) Existing law generally provides that all revenues distributed to the state as license fees from horse racing are to be deposited into the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes. Existing law also provides that any unallocated balance in the fund is appropriated without regard to fiscal years for allocation by the Secretary of Food and Agriculture for capital outlay to California fairs, for fair projects involving public health and safety, major and deferred maintenance, for fair projects required due to any emergency, physical changes to the fair site, or need to protect the fair property or installation, and for the acquisition or improvement of any property or facility that will serve to enhance the operation of the fair.

This bill would provide that a portion of the money subject to allocation by the secretary under these provisions may be allocated to California fairs for general operational support. By authorizing the expenditure of continuously appropriated funds for a new or expanded purpose, this bill would make an appropriation.

(2) Existing law provides that it is the intent of the Legislature that the moneys to be allocated by the secretary be used primarily for those fairs whose sources of revenue may be limited.

This bill would make this intent language applicable only to the portion of the moneys allocated for general operational support.

(3) Existing law provides that the 22nd District Agricultural Association may expend up to \$500,000 annually for the operation of a fair from the money received by the district from a lease of district property for horse racing purposes. Existing law also provides that any money received by the district in excess of this amount may either be expended in furtherance of a specified master plan, accumulated for that purpose, or transferred to the General Fund upon executive order of the Director of Food and Agriculture.

This bill would provide that the district may expend up to \$750,000 annually for the operation of a fair, and that any funds thereby

received in excess of this amount may be allocated as provided for in existing law.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 19630 of the Business and Professions Code is amended to read:

19630. (a) Any unallocated balance from subdivision (a) of Section 19620.1 is hereby appropriated without regard to fiscal years for allocation by the Secretary of Food and Agriculture for capital outlay to California fairs for fair projects involving public health and safety, for fair projects involving major and deferred maintenance, for fair projects necessary due to any emergency, for projects that are required by physical changes to the fair site, for projects that are required to protect the fair property or installation, such as fencing and flood protection, and for the acquisition or improvement of any property or facility that will serve to enhance the operation of the fair.

(b) A portion of the funds subject to allocation pursuant to subdivision (a) may be allocated to California fairs for general operational support. It is the intent of the Legislature that these moneys be used primarily for those fairs whose sources of revenue may be limited for purposes specified in this section.

SEC. 2. Section 4155 of the Food and Agricultural Code is amended to read:

4155. The 22nd District Agricultural Association may expend up to seven hundred fifty thousand dollars (\$750,000) annually for the operation of a fair pursuant to Section 4001 for the purposes enumerated therein from funds received by the district from a lease of district property for horse racing purposes. Any funds thereby received by the district in excess of this seven hundred fifty thousand dollars (\$750,000) may be expended in furtherance of the master plan developed pursuant to Section 4156. Any of these funds that are not expended in this manner, or accumulated to be expended in furtherance of the master plan, including the amortization of revenue bonds, shall be transferred by the district to the General Fund upon executive order of the Director of Food and Agriculture.

